

**LAND SURVEYORS SECTION MEETING
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MINUTES
MADISON WI
JUNE 14, 2001**

PRESENT: Rick Van Goethem, James Rusch, Harold Kolb, Bob Hoskins

STAFF PRESENT: Katharine Hildebrand, Jan Bobholz, Grace Schwingel

GUEST PRESENT: Francis (Frank) Thousand, Wisconsin Society of Land Surveyors

CALL TO ORDER

The meeting was called to order at 9:35 a.m. by Rick Van Goethem, Chair. A quorum of 4 members was present.

AGENDA

MOTION: Robert Hoskins moved, seconded by James Rusch, to approve the agenda as submitted. Motion carried unanimously.

APPROVAL OF MINUTES (5/31/01)

MOTION: James Rusch moved, seconded by Robert Hoskins, to approve the minutes as printed. Motion carried unanimously.

ADMINISTRATIVE REPORT

Katharine Hildebrand introduced herself as the new Bureau Director, appointed by Secretary Oscar Herrera. Katharine gave the Section members a review of her background, indicating that she came to the Department from the Governor's Office. She served as the Governor's Education Policy Advisor and also served on the Education Team under former Governor Thompson. Katharine asked Section members to contact her with any questions they may have or if there is any way she can assist them in their duties as Section members. Katharine indicated that, initially, one of her primary goals is to get the Boards and Sections fully staffed with members whose terms are current.

Section Roster

Rick Van Goethem informed the Section he will be moving soon and will send the Department his new address when he moves.

Katharine Hildebrand is working with the Governor's Office to fill the vacancy on this section and the other sections of the Joint Board as soon as possible.

To Do List

Katharine Hildebrand will check with Pam Haack to see that the rule draft has been sent to the Rules Clearinghouse.

2001 Section Meeting Dates

The next Section meeting date is October 11, 2001.

To Pass Folder

Noted.

LEGISLATIVE UPDATE

Francis (Frank) Thousand handed out and reviewed with the Section the 3/21/01 letter to Senator Shibilski regarding LRB-2741/ldn which would repeal s. 443.06, Stats.

ADMINISTRATIVE RULES

Educational Requirements

The Section reviewed its decision to expand the language in the statutes to allow more credits for someone pursuing a bachelor's degree. The Section gave a brief overview of what the educational requirements are.

The Section wants to double the number of credits a person would need and is proposing a change from 12 credits to 24 credits, noting the Section should attempt to convince land surveyor employees of the need to continually increase their education. Currently the Section does not require mandatory C.E. credits, but professionals can take voluntary C.E. credits. There are approximately 1,500 active land surveyors in Wisconsin. The concern is who would regulate the continuing education program. The Land Surveyor Society puts on two seminars per year. The Section proposed a statutory change. Katharine Hildebrand will double check with Pam Haack to determine if the rule draft has been sent to the Rules Clearinghouse.

SECTION MEMBER ACTIVITY

Hildebrand handed out Harold Kolb's and Bob Hoskins' reconfirmation letters. Jim Rusch asked the Section members to give him any concerns they have that they would like him to present at the National Exam Meeting he will be attending. There was a question about some of the formulas that were missing. For example, the Law of Cosines, wasn't on the formula sheet, so you'd have to memorize it. Rick Van Goethem will call Jim Rusch about some formulas that he felt should be added or changed. The Section felt that if there is more than one formula to solve a problem, all the formulas should be included. A book by Paul Wolfe, called Elementary Surveying was referenced.

TIME LIMIT FOR TEMPORARY PERMITS

The Section discussed the 5/25/01 memo from Jan Bobholz regarding time limits for temporary permits. There was concern about an applicant that applied for a temporary permit who was not able to take the exam because he was taking an exam in another state on the same date. The applicant wanted his temporary permit extended so he could bid on another project in the Madison area.

Wisconsin's state exam is only given in April and October. The applicant arranges to take the state exam through Continental Testing Services. Bobholz asked how long the Department could let an applicant practice with a temporary permit. It takes about 3 months to get exam results and the Section members felt that this was too long to make an applicant wait for his or her exam results.

Tichenor addressed some concerns of the Section members stating that the exam office can obtain the jurisdictional exam results within two weeks. National exam results will take a few months. An individual is given a temporary permit with the understanding that the individual will sit for the next scheduled exam.

Tichenor said that the Department could look for an individual's score and know within a week if the individual sat for the exam. Tichenor suggested that we give a two-week window to determine if a particular candidate sat for, or passed, the exam because he can obtain this information. The question was raised as to whether an applicant could make arrangements to have a special testing date if the applicant were taking a test in another state or for other reasons approved by the Section, such as a death in the family or a wedding. Tichenor informed the Section that the Department will be holding an exam on Saturday, July 14, 2001, that the individual could take. Bobholz will contact the individual to determine if he would be available to take the exam on Saturday, July 14, 2001.

Wayne Austin, Legal Counsel, indicated there is a statutory provision for a temporary permit. He will draft a rule to extend the time limit for an applicant to take an exam under specific circumstances, that would be approved by the Section, to cover this type of situation.

MOTION: Harold Kolb moved, seconded by Jim Rusch, to allow an applicant to extend the time limit for operating with a temporary permit. The applicant would have to take the exam at the next exam date if the applicant was not able to sit for the exam for specific reasons approved by the Section. Motion carried unanimously.

It was suggested that the Section should investigate how many states have temporary permits. Jim Rusch will address this issue at the meeting he will be attending.

EXAMINATION ISSUES

Nothing.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The Section discussed the NCEES White Paper on Council Records Program regarding the need for license mobility in the profession. Each state has jurisdiction for professionals practicing in its state. If each state would adopt uniform laws regarding the minimum requirements for education, experience, and examination, it would enable professionals with various areas of specialization to practice in other states. As the law stands now, professionals have to know all the various requirements of each individual state if they want to practice their profession in more than one state. The Section feels it is beneficial to corporations to be able to work across state lines. If every jurisdiction were to accept the minimum standard for the Model Law Degree, that would be the basis for the Model Law Degree. Jim Rusch presented requirements that would be needed for a model law surveyor. It would cost \$125 to establish one's records. Many members are probably not aware of this. The Section is not aware of how many states accept the Model Law Degree. Wisconsin doesn't accept the Model Law Degree, at this point. However, the Section believes it should be looking at establishing a Model Law Degree for Wisconsin.

NEW BUSINESS

Nothing.

CONVENE TO CLOSED SESSION

MOTION: Bob Hoskins moved, seconded by Jim Rusch, to convene the meeting in closed session to deliberate on cases following hearing (s. 19.85 (1)(a), Stats.); to consider licensure or discipline (s. 19.85 (1)(b), Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s. 19.85 (1)(g), Stats.). Motion carried unanimously.

Open session recessed at 10:45 a.m.

The Section deliberated on pending applications and a hearing on denial of an Application for Kyle Fischer.

RECONVENE TO OPEN SESSION

MOTION: Jim Rusch moved, seconded by Bob Hoskins, to reconvene into Open Session at 1:05 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Bob Hoskins moved, seconded by Jim Rusch, to close the investigation on Gerald Zander, case # 00 LSR 013. The conduct of the credential holder may constitute negligence but does not constitute practice below the minimal standards of the profession. Motion passed unanimously.

APPLICATIONS REVIEW

MOTION: Harold Kolb moved, seconded by Bob Hoskins, to approve the applications of Russell O. Halverson, Mark L. Miritz, Patrick D. Stankiewicz, Aric Weber for licensure as a land surveyor by written exam. Motion carried unanimously.

MOTION: Jim Rusch moved, seconded by Harold Kolb, to deny the applications of William W. Rowland, Mitchell L. Gusick for licensure as a land surveyor by written exam. Motion carried by 3 votes and 1 abstention.

HEARING (10:45 A.M.)

MOTION: Bob Hoskins moved, seconded by Jim Rusch, to grant Kyle Fischer credit for 9 years for his work experience as of today's date which would require him to work 1 more year. Motion failed; there were 2 yes votes and 2 no votes.

MOTION: Rick Van Goethem moved, seconded by Harold Kolb, to reaffirm the denial of the application for licensure as a land surveyor by written exam for Kyle Fischer. Fischer's application is denied because he did not have an approved degree and does not meet the minimum requirement of 12 credits; he only has 3 credits in land surveying. The Section hereby agrees to grant Mr. Fischer 8 ½ years of work credit. Mr. Fischer will need to work another 1 ½ years to fulfill the ten-year rule. Motion carried with 3 votes and one abstention.

The Section is concerned that people can get their license based on the Ten-Year Rule without taking more classes and that Kyle Fischer only had 3 land surveyor courses of 1 credit each.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

ADJOURNMENT

MOTION: Harold Kolb moved, seconded by Bob Hoskins, to adjourn the meeting at 1:15 p.m. Motion carried unanimously.

**Next Meeting
October 11, 2001**

